

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MAURICE S. PEGG,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:09-cv-908
v.	:	JUDGE ALGENON L. MARBLEY
	:	
MISS C. DAVIS, et al.,	:	
	:	
Defendants.	:	

ORDER

This matter is before the Court on Plaintiff Maurice S. Pegg’s Motions for Reconsideration (Doc. 4 and 5). The Motions for Reconsideration are substantively the same, and therefore will be dealt with together.

Though the Federal Rules do not expressly provide for “Motions for Reconsideration,” *Rodriguez v. Tennessee Laborers Health & Welfare Fund*, 89 F. App’x 949, 959 (6th Cir. 2004), Federal Rule of Civil Procedure 59(e) permits parties to move the court to alter or amend a judgment within 10 days after the entry of the judgment. Because Pegg’s first Motion for Reconsideration was timely filed, and the second Motion is essentially identical to the first, the Court will consider both Motions.

Motions for Reconsideration serve a limited function, and are generally only warranted where there is: (1) an intervening change of controlling law; (2) new evidence available; or (3) a need to correct a clear error or prevent manifest injustice. *Dualite Sales & Service, Inc. v. Moran Foods, Inc.*, No. 1:04-CV-13, 2005 WL 2372847, at *1 (S.D. Ohio Sept. 26, 2005). They are not intended to relitigate issues previously considered by the Court or to present evidence

that could have been raised earlier. *See J.P. v. Toft*, No. C2-04-692, 2006 WL 689091, at *13 (S.D. Ohio Mar. 15, 2006).

Because Pegg's Motions do not raise any of the bases for granting a motion for reconsideration, and because he is simply attempting to relitigate an issue previously decided by this Court, his Motions are **DENIED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge

Dated: December 22, 2009